



A. Hannon
#61a
3.5.03

ATTORNEY DOCKET NO. 43888-087
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Tatsurou KAWAMURA) Group Art Unit: 1743
Serial No.: 09/697,121) Examiner: S.P. SIEFKE
Filed: October 27, 2000)
For: METHOD FOR MEASURING CONCENTRATION OF SOLUTION AND
APPARATUS FOR MEASURING CONCENTRATION OF SOLUTION

ELECTION UNDER 35 U.S.C. § 121

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the restriction requirement set forth in the Office Action mailed February 12, 2003, having a shortened statutory period for response set to expire March 12, 2003, wherein the Examiner required restriction between the following Groups:

- | | | |
|----------|---|--|
| Group I | - | Claims 1-6, drawn to a method for measuring a concentration of a solution; and |
| Group II | - | Claims 7 and 8, drawn to an apparatus for measuring a concentration of a solution. |

Applicant elects without traverse, Group I - claims 1-6 for initial prosecution on the merits. Please cancel claims 7 and 8 without prejudice.

Applicant also reserves the right to file a Divisional Application for the non-

RECEIVED
FEB 28 2004
TC 1700 MAIL ROOM

elected claims 7 and 8, which the Examiner has indicated is patentably distinct.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT, WILL & EMERY

Date: 2/27/03

By: 
Michael E. Fogarty
Registration No. 36,139

600 13th Street, N.W. , Suite 1200
Washington, D.C. 20005-3096
Telephone: 202-756-8000
Facsimile: 202-756-8087